

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7359

BILL NUMBER: HB 1648

NOTE PREPARED: Jan 12, 2009

BILL AMENDED:

SUBJECT: Off-Road Vehicles on Certain Streets and Highways.

FIRST AUTHOR: Rep. Borders

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill authorizes a municipality to adopt an ordinance (ordinance) authorizing the use of off-road vehicles on a highway, street, right-of-way, or public parking lot in the jurisdiction of the municipality. It mandates the ordinance to require that the individual operating the off-road vehicle hold one of certain types of driver's license and that an individual under 18 years of age operating or riding on the off-road vehicle be required to wear certain protective headgear. The bill authorizes the ordinance to require that financial responsibility be in effect for operation of the off-road vehicle. It makes conforming amendments.

Effective Date: July 1, 2009.

Explanation of State Expenditures:

Explanation of State Revenues: *Potential License Fees:* Requiring the operator of an off-road vehicle to possess a driver's license, a chauffeur's license, a public passenger license, or a commercial driver's license may increase the number of these licenses in the state. The following funds are affected: Motor Vehicle Highway Account (MHVA), the State Police Building Fund, the Crossroads 2000 Fund, the BMV Technology Fund, the Anti-Terrorism Fund, and the Bureau of Motor Vehicles Commission (supported by the state License Branch Fund).

Background Information: The MVHA may be used for road construction, reconstruction, and maintenance for cities, towns, and counties. The MVHA also supports entirely the operation of the BMV, a significant part of the operation of the Department of Transportation, about 61% of the operation of the State Police, and part of the operation of the state Department of Revenue.

The Public Safety fee supports the State Police Building Fund, which is used for construction, maintenance, and equipping of and/or leasing of State Police facilities.

The Motorcycle Operator Safety Education Fund supports motorcycle education.

The Crossroads 2000 Fund supports highway bonding.

The BMV Technology Fund supports technology for the BMV.

The anti-terrorism fee supports the Integrated Public Safety Commission (IPSC). The IPSC operates Project Hoosier Safe-T (Safety Acting for Everyone-Together, an initiative of the IPSC.) The Commission works with local, state, and federal public safety agencies to implement a statewide, interoperable, digital, 800 MHz trunked voice and mobile data communications network for public safety officials. SAFE-T will provide 95% statewide mobile coverage through a baseline design of 126 communication sites. SAFE-T seeks to replace inadequate, obsolete, and incompatible communications systems and allow coordination and response to routine, emergency, and catastrophic events. Public safety agencies independently choose whether to participate in SAFE-T.

The Bureau of Motor Vehicles Commission is supported by the state License Branch Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Bureau of Motor Vehicles; State Police; Department of Transportation; state Department of Revenue as recipients of the MVHA distributions.

Local Agencies Affected: Funds from the MVHA are distributed to cities, towns, and counties; those municipalities who adopt the requisite ordinances.

Information Sources:

Fiscal Analyst: James Sperlik, 317-232-9866.